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By

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

CGNE 62-1(1)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of)
Comai, et al.) Examiner: P. Moody
Serial No. 07/985,742) Art Unit: 1804
Filed: December 4, 1992) NOTICE OF APPEAL
For: FIGWORT PLANT PROMOTER)
AND USES)

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Honorable Commissioner of
Patents and Trademarks
Washington, DC 20231

Sir:

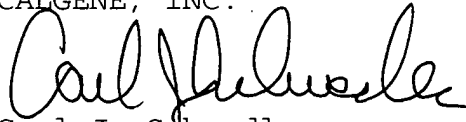
Applicants hereby appeal to the Board of Patent Appeals and Interferences from the decision dated January 24, 1994, finally rejecting Claims 20, 22-28, 30, 33-36 and 43 of the above-referenced Application.

The \$135.00 fee for filing this Notice of Appeal (37 CFR 1.17(e)) is included in the enclosed check for \$190.00. The Commissioner is hereby authorized to charge payment of any patent

application processing fees under 37 CFR 1.17 associated with this communication or credit any overpayment to Deposit Account No. 03-0173. A duplicate of this sheet is enclosed for accounting purposes.

Respectfully submitted,

CALGENE, INC.



Carl J. Schwedler
36,924

Date: May 20, 1994

CALGENE, INC.
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Davis, CA 95616
(916) 753-6313

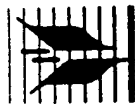
enclosure:

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PAY ****Eight hundred forty and 00/100 Dollars****

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